

Quarterly Report on the Status of Prison Capacity, First Quarter 2017

Massachusetts Department of Correction
Submitted in Compliance with Chapter 799
Section 21 of the Acts of 1985



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April 2017

2017 First Quarter Report

Section Twenty-one of Chapter 799 of the Acts of 1985 directs the Commissioner of Correction to report quarterly on the status of overcrowding in state and county facilities. This statute calls for the following information:

Such report shall include, by facility, the average daily census for the period of the report and the actual census on the first and last days of the report period. Said report shall also contain such information for the previous twelve months and a comparison to the rated capacity of such facility.

This report presents the required statistics for the first quarter of 2017.

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2017 First Quarter Report

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Technical Notes: 2010 – Present (for previous years, please refer to reports prior to 2nd quarter 2015)

- MCI-Cedar Junction began double-bunking maximum security housing units 2 and 3 on March 17, 2011, and the Orientation Unit on March 29, 2011.
- Average Daily Population for the previous year was calculated by using the last day of each month.
- The ATU (Awaiting Trial Unit) houses both pre-trial and civilly committed females. The facility population count provided includes all pre-trial and civil females, some of whom might be housed elsewhere within MCI-Framingham other than the actual ATU.
- Average Daily Population for county facilities was calculated by using the figures provided during the last week of every month.
- Custody snapshot data is based on an end of the month count. Prior to 4th quarter 2011, custody snapshot data was taken based on the first of the month.
- Western Massachusetts Regional Women’s Correctional Center was opened in Hampden County in November 2011, housing most county sentenced females from the western half of the state.
- On July 1, 2012, the maximum number of days an individual could be civilly committed as a Section 35 at MASAC or MCI-Framingham was increased from 30 days to 90 days.
- On June 24, 2012 six pre-release beds were added to MCI-Plymouth. An additional four pre-release beds were added by the end of 2012.
- Chapter 192 of the Acts of 2012, known as the Crime Bill, was enacted on August 2, 2012 and resulted in an immediate change to sentence structure for dozens of inmates.
- Issues regarding the accuracy of testing at the Hinton Drug Lab resulted in several hundred releases “from court”, most occurring during the months of September through December 2012.
- Effective April 1, 2013, Brooke House has three types of bed categories; DOC Reentry, Parole Transitional and Parole Halfway. Historically, Brooke House beds were only DOC Reentry.
- As of May 2013, 6 medium security beds were added to MCI-Cedar Junction.
- In May 2013, inmates housed at the Cambridge Jail in Middlesex County were temporarily housed elsewhere due to issues with the water system.
- On October 15, 2013, MCI-Plymouth increased its pre-release capacity to 15 beds while decreasing its minimum capacity to 212 beds. The overall operational capacity remained the same.
- In June 2014, Shirley Minimum reduced their capacity by 4 beds.
- On June 28, 2014 the Middlesex County Jail in Cambridge was officially closed.
- Effective June 30, 2014, the DOC terminated their contract with Spectrum Women and Children’s Program which included 15 beds for female inmates.
- Inmates were temporarily moved out of NCCI Gardner Minimum in October 2014 due to an energy conservation project.
- Throughout 2015, there were various changes reported for design capacity for numerous county facilities. All design capacities and occupancy data for Massachusetts Houses of Correction and jails reported herein is provided by the County, Federal, and Interstate Unit.
- Effective May 28, 2015, the DOC terminated their contract with Brooke House which included 20 beds for male inmates.

- Inmates are no longer housed at Bay State Correctional Center as of June 30, 2015. The transfer of inmates housed at BSCC to other facilities began in April 2015.
- Effective June 30, 2015, a unit of 48 beds was reallocated at Pondville Correctional Center to house those who have been granted parole and are currently in the Transitional Treatment Program (TTP). They are not considered part of the DOC's custody or jurisdiction populations.
- Due to the closing of facilities, the design capacity for the DOC decreased from 8,029 to 7,728 (301 beds). This change is reflected beginning in the third quarter 2015.
- During the fourth quarter of 2015, numerous units were inactivated within MCI-Concord resulting in the transferring of inmates to other facilities (including all 52A pre-trial inmates at this facility). The closing of units reduced the operational capacity of the facility.
- As of the third quarter of 2016, the percentage of capacity is not provided in Table 2 due to a change in design capacity during the time period reflected in the table.
- Effective October 2016, four housing units designated for criminally sentenced inmates at MCI-Framingham were disabled. As a result, these inmates were moved to other housing units within the facility, including units previously designated for pre-trial inmates.
- Effective December 5, 2016, the Transitional Treatment Program was relocated from Pondville Correctional Center to Boston Pre-Release Center. The transfer of parolees affected the number of beds allotted for inmates as well as the capacity figures at both facilities.
- Effective December 22, 2016, MCI-Plymouth was shuttered and remaining inmates were transferred to other DOC facilities.
- Design capacity was reduced for the reporting of 1st quarter 2017 data due to the shuttering of MCI-Plymouth, with a design capacity of 151 inmates.

Definitions:

Custody Population: Custody population refers to all inmates incarcerated in a Massachusetts DOC facility.

Jurisdiction Population: Jurisdiction population refers to all inmates considered to be under Massachusetts DOC jurisdiction when the Commonwealth has legal authority over the inmate regardless of where the inmate is being held. DOC jurisdiction includes those incarcerated in Massachusetts DOC facilities and those housed in correctional facilities outside of the Massachusetts DOC (i.e. Massachusetts Houses of Correction, other states' correctional facilities, and the Federal Bureau of Prisons).

Design/Rated Capacity: The number of inmates that planners or architects intended for the institution [as defined by the U.S. Department of Justice, Bureau of Justice Statistics (BJS)]. Rated capacity is the number of beds or inmates assigned by a rating official to institutions within the jurisdiction, essentially formally updated from the original design capacity.

Security Levels:

In May 2012, new security level designations were established according to **103 DOC 101 Correctional Institutions/Security Levels** policy which states:

Pre-Release/Contracted Residential Placement – The perimeter is marked by non-secure boundaries. Physical barriers to inmate movement and interaction are either non-secure or non-existent. Inmate movements and interactions are controlled by rules and regulations only. Inmates may leave the institution daily for work and/or education in the community. Supervision while on the grounds of the facility is intermittent. While in the community, supervision is occasional, although indirect supervision (e.g. contact with employer) may be more frequent. Inmates must be within eighteen (18) months of parole eligibility or release and not barred by sentencing restrictions for either placement in a pre-release facility or participation in work, education or program related activities (PRA) release programs.

Minimum – The perimeter is marked by non-secure boundaries. Physical barriers to movement and interaction are either non-secure or non-existent. Inmates may be housed in single, double or multiple occupancy areas. Inmate movements and interactions are controlled by rules and regulations only. Supervision is intermittent. Inmates may leave the perimeter under supervision. Contact visits and personal clothing are allowed.

Medium – The perimeter and physical barriers to control inmate movement and interaction are present. Inmates may be housed in single, double or multiple occupancy areas. Inmate movement and interaction are generally controlled by rules and regulations, as well as with physical barriers. Inmates are subject to direct supervision by staff. Work and program opportunities are available. Contact visits and personal clothing may be allowed. Inmates assigned to medium custody designation at MCI-Cedar Junction will receive contact visits.

Maximum – The perimeter is designed and staffed to prevent escapes and the introduction of contraband. Inmate movement and interaction are controlled by physical barriers. Inmates are housed in single and double cells. The design of the facility offers an ability to house some offenders separate from others without a limitation of work and/or program opportunities. Inmates are subject to direct supervision by staff. At the superintendent's discretion, contact visits may be allowed at Souza Baranowski Correctional Center and MCI Cedar Junction's reception beds (which are considered maximum security). Personal clothing is generally not allowed.

Abbreviations

ADP	Average Daily Population
BSCC	Bay State Correctional Center
BOS	Boston Pre-Release
BSH	Bridgewater State Hospital
CFI	County, Federal and Interstate
CJ	MCI-Cedar Junction
CON	MCI-Concord
DOC	Department of Correction
DYS	Department of Youth Services
FRA	MCI-Framingham
HOC	House of Correction
LEM	Lemuel Shattuck Hospital
MASAC	Massachusetts Alcohol and Substance Abuse Center
MTC	Massachusetts Treatment Center
NCCI	NCCI-Gardner
NECC	Northeastern Correctional Center
NOR	MCI-Norfolk
OCCC	Old Colony Correctional Center
PCC	Pondville Correctional Center
PLY	MCI-Plymouth
SBCC	Souza Baranowski Correctional Center
SHI	MCI-Shirley
SMCC	South Middlesex Correctional Center

Table 1 provides the DOC figures for the first quarter of 2017. The DOC custody population has decreased by 19 inmates, or less than one percent in this time period. Operating with 9,081 inmates in the system, the average daily population was 9,085 with a design capacity of 7,577. Thus, the DOC operated at 120% of design capacity during the first quarter of 2017. Note that the design capacity was adjusted in the table below due to the shuttering of MCI-Plymouth on December 22, 2016. The decrease of 151 beds is reflected in the overall design capacity and percentage of capacity.

DOC inmates housed in non-DOC facilities had an average daily population of 441 inmates. The majority of these inmates were in Massachusetts Houses of Correction.

Overall, the average daily total DOC jurisdiction population for the first quarter 2017 was 9,526. There was an increase of one inmate, or less than one percent, over the quarter from 9,531 to 9,532.

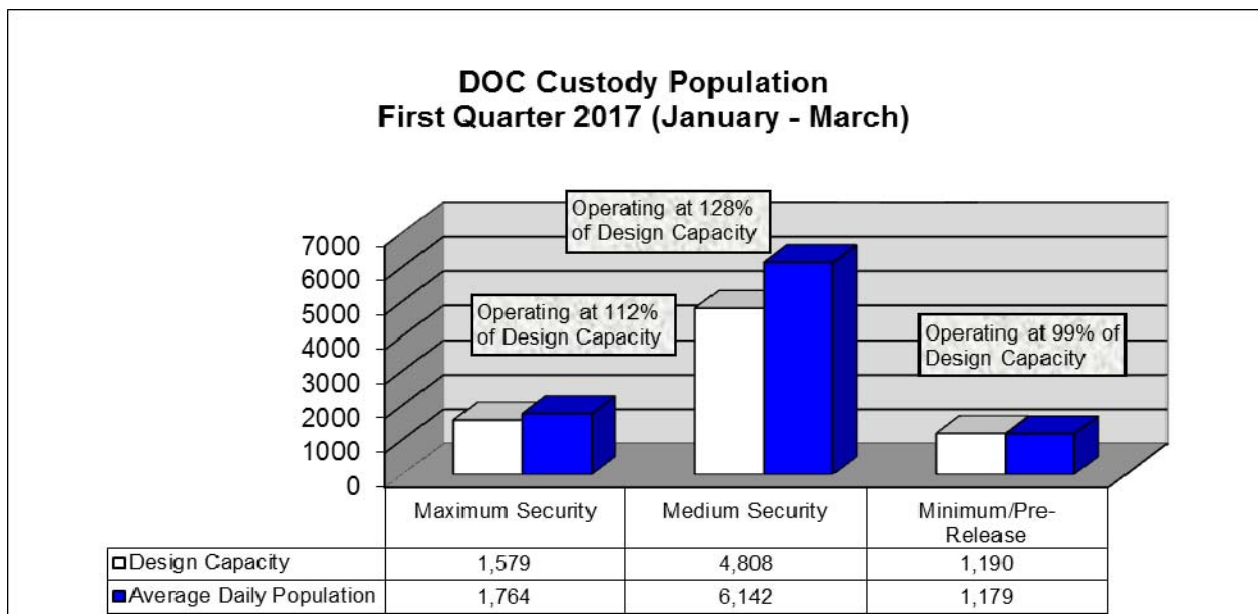
Table 1

**First Quarter 2017
Population in DOC Facilities, January 31, 2017 to March 31, 2017**

Security Level/Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Maximum					
MCI-Cedar Junction	681	681	699	555	123%
SBCC	1,083	1,086	1,072	1,024	106%
Sub-Total, Maximum	1,764	1,767	1,771	1,579	112%
Medium					
Massachusetts Treatment Center	517	521	516	561	92%
MCI-Cedar Junction	72	72	72	78	92%
MCI-Concord	735	729	736	614	120%
MCI-Framingham (Female)	460	480	450	452	102%
MCI-Norfolk	1,424	1,435	1,413	1,084	131%
MCI-Shirley	1,153	1,151	1,144	720	160%
NCCI-Gardner	934	917	950	568	164%
OCCC	528	512	567	480	110%
Shattuck Correctional Unit	27	27	25	24	113%
State Hospital @ Bridgewater	292	314	249	227	129%
Sub-Total, Medium	6,142	6,158	6,122	4,808	128%
Minimum					
MA Alcohol and Substance Abuse Center	152	139	178	236	64%
MCI-Shirley	310	321	301	299	104%
NCCI-Gardner	11	11	11	30	37%
OCCC	104	106	107	100	104%
Minimum/Pre-Release					
Boston Pre-Release Center	117	117	115	150	78%
MCI-Plymouth	0	0	0	151	0%
NECC	206	205	200	150	137%
Pondville Correctional Center	158	167	151	100	158%
SMCC (Female)	121	109	125	125	97%
Sub-Total, Minimum/Pre-Release	1,179	1,175	1,188	1,190	99%
Custody Total	9,085	9,100	9,081	7,577	120%
DOC Inmates in Non-DOC Facilities					
Houses of Correction	348	337	360	n.a.	n.a.
Department of Youth Services	0	0	0	n.a.	n.a.
Federal Prisons	4	4	4	n.a.	n.a.
Inter-State Compact	89	90	87	n.a.	n.a.
Sub-Total	441	431	451	n.a.	n.a.
Jurisdiction Total	9,526	9,531	9,532	7,577	126%

See Technical Notes, p. 4-6, for information regarding design capacity, custody level designations, facility closings or name changes relevant to this time period.

Figure 1



- ◆ Maximum security facilities operated above capacity during the first quarter 2017 at 112%. Souza Baranowski Correctional Center operated at a design capacity of 106%, while MCI Cedar Junction operated at 123%.
- ◆ Medium security facilities had the highest capacity rate overall during this quarter, operating at 128% of design capacity. The medium security units at NCCI-Gardner had the highest capacity rate of the medium security facilities (164%), followed by the medium security units at MCI-Shirley (160%) and MCI-Norfolk (131%).
- ◆ Operating within MCI-Cedar Junction is a medium security unit designed to house 78 inmates. During the quarter, this unit operated at 92% design capacity, with an average daily population of 72 inmates.
- ◆ Minimum/pre-release security facilities operated under capacity at an average of 99% of design capacity. This notable increase from the previous quarter is due to the shuttering of MCI-Plymouth, which resulted in the transfer of inmates to other DOC facilities.
- ◆ South Middlesex Correctional Center, the female minimum/pre-release facility, operated below capacity at 97% with an average daily population of 121 inmates.
- ◆ Pondville Correctional Center, the minimum/pre-release facility with the highest capacity rate, operated over design capacity (158%) with an average daily population of 158 inmates. This increase was partly due to the transfer of the Transitional Treatment Program to Boston Pre-Release Center, resulting in an increase in beds designated for inmates under MA DOC jurisdiction.
- ◆ The Massachusetts Department of Correction operated at an average of 126% of design capacity during this quarter.

Table 2 provides the DOC figures for the previous twelve months (January 31, 2016 to December 31, 2016). The figures below indicate that the DOC custody population decreased by 517 inmates, or five percent, over the twelve-month period from 9,555 in January 2016 to 9,038 in December 2016.

DOC inmates housed in non-DOC facilities had an average daily population of 479 inmates. Of these inmates, 383 were in Houses of Correction, 90 inmates were in a facility outside of Massachusetts through the Interstate Compact, 4 inmates were in a Federal Prison and 2 inmates were in a Department of Youth Services facility.

The DOC jurisdiction population decreased from 10,063 to 9,496 over the twelve month period, a decrease of 567 inmates, or six percent. The average daily population during this time period was 9,823 inmates.

Table 2

Previous Twelve Months					
Population in DOC Facilities, January 31, 2016 to December 31, 2016					
Security Level/Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Maximum					
MCI-Cedar Junction	672	691	650	555	121%
SBCC	1,063	1,023	1,134	1,024	104%
Sub-Total, Maximum	1,735	1,714	1,784	1,579	110%
Medium					
Massachusetts Treatment Center	523	522	521	561	93%
MCI-Cedar Junction	72	69	72	78	92%
MCI-Concord	657	571	699	614	107%
MCI-Framingham (Female)	512	547	468	452	113%
MCI-Norfolk	1,450	1,467	1,424	1,084	134%
MCI-Shirley	1,153	1,169	1,137	720	160%
NCCI-Gardner	937	963	906	568	165%
OCCC	650	766	518	480	135%
Shattuck Correctional Unit	28	30	24	24	117%
State Hospital @ Bridgewater	311	313	310	227	137%
Sub-Total, Medium	6,293	6,417	6,079	4,808	131%
Minimum					
MA Alcohol and Substance Abuse Center	182	181	146	236	77%
MCI-Shirley	309	308	321	299	103%
NCCI-Gardner	16	18	12	30	53%
OCCC	99	91	99	100	99%
Minimum/Pre-Release					
Boston Pre-Release Center	137	150	128	150	91%
MCI-Plymouth	118	171	0	151	78%
NECC	215	253	198	150	143%
Pondville Correctional Center	127	135	168	100	127%
SMCC (Female)	113	117	103	125	90%
Sub-Total: Minimum/Pre-Release	1,316	1,424	1,175	1,341	98%
Custody Total	9,344	9,555	9,038	7,728	121%
DOC Inmates in Non-DOC Facilities					
Houses of Correction	383	417	361	n.a.	n.a.
Department of Youth Services	2	1	2	n.a.	n.a.
Federal Prisons	4	3	4	n.a.	n.a.
Inter-State Compact	90	87	91	n.a.	n.a.
Sub-Total	479	508	458	n.a.	n.a.
Jurisdiction Total	9,823	10,063	9,496	7,728	127%

See Technical Notes, p. 4-6, for information regarding design capacity, custody level designations, facility closings or name changes relevant to this time period.

Table 3 presents the county figures for the first quarter of 2017. During the first quarter, the county population decreased by 249 inmates, or two percent, beginning the quarter with 10,769 inmates and ending with 10,520. The average daily population was 10,671 with a design capacity of 11,226. On average, the county facilities operated at 95% of design capacity.

Table 3

First Quarter 2017						
Population in County Correctional Facilities by County, January 30, 2017 to March 27, 2017						
Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity*	% ADP Capacity	
Barnstable	374	379	373	300	125%	
Berkshire	231	231	227	292	79%	
Bristol	1,277	1,313	1,264	566	226%	
Dukes	19	22	16	19	100%	
Essex	1,547	1,541	1,519	1,654	94%	
Franklin	250	246	239	144	174%	
Hampden	1,419	1,448	1,381	1,632	87%	
Hampshire	255	246	255	287	89%	
Middlesex	1,012	1,024	985	1,501	67%	
Norfolk	472	480	477	620	76%	
Plymouth	1,075	1,078	1,069	1,140	94%	
Suffolk	1,648	1,631	1,677	2,249	73%	
Worcester	1,092	1,130	1,038	822	133%	
Total	10,671	10,769	10,520	11,226	95%	

*Design capacity is provided by the County, Federal, and Interstate Unit.

Table 4 presents the breakdown of the county population for the first quarter of 2017 for the counties which operate more than one facility.

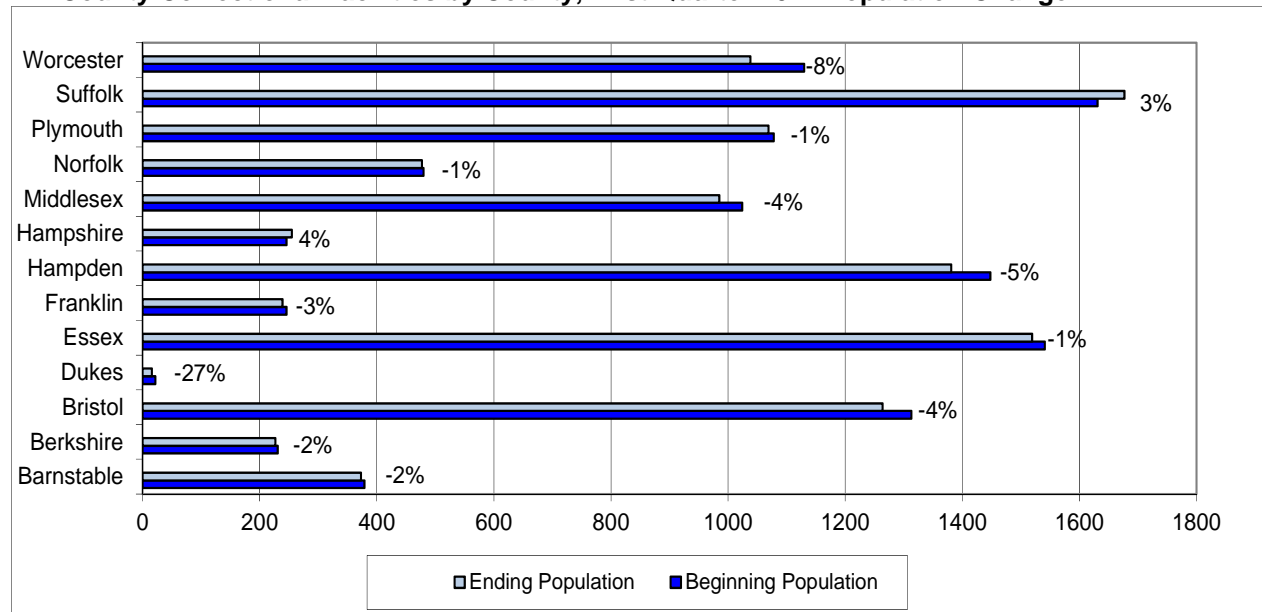
Table 4

First Quarter 2017						
Population in County Correctional Facilities by Facility, January 30, 2017 to March 27, 2017						
Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity	
Bristol County						
Bristol Ash Street	182	184	180	206	88%	
Bristol Dartmouth	1,011	1,041	1,003	304	333%	
Bristol Women's Center	84	88	81	56	150%	
Essex County						
Essex Middleton	1,213	1,206	1,191	1,291	94%	
Essex W.I.T	30	30	30	23	130%	
Essex LCAC	303	305	298	340	89%	
Hampden County						
Hampden HOC	1,040	1,072	1,011	1,178	88%	
Hampden WMCAC	106	87	114	148	72%	
Hampden Women's Center	274	289	256	306	90%	
Suffolk County						
Suffolk Nashua Street	657	670	667	453	145%	
Suffolk South Bay	990	961	1,010	1,796	55%	

See Technical Notes, p. 4-6, for information regarding design capacity, custody level designations, facility closings or name changes relevant to this time period.

Figure 2

MA County Correctional Facilities by County, First Quarter 2017 Population Change



- ◆ Most county correctional institutions have jail beds (to hold detainees awaiting trial) and house of correction beds (designated for sentenced inmates), with the exception of Suffolk County, which houses these populations in separate facilities. The design capacities are determined within each facility and separate capacities are not designated as “jail” (detainees) or “house of correction” (county sentenced) beds.
- ◆ In the first quarter of 2017, the county correctional system operated at 95% of its design capacity, with an average daily population of 10,671 and a capacity designed to hold 11,226 inmates.
- ◆ Dukes County reported the largest percentage decrease over the first quarter (27%). Worcester County reported the second largest percentage decrease, decreasing 8% from the beginning of the first quarter to the end of the quarter.
- ◆ Though not the largest percentage decrease, Worcester County had the largest population decrease (n=92), followed by Hampden County (n=67) and Bristol County (n=49).
- ◆ Hampshire and Suffolk Counties had the only percentage increases in population, 4% and 3% respectively, from the beginning of the first quarter to the end of the quarter.
- ◆ The county correctional facilities’ (jails and houses of correction) population decreased by 249 inmates, or two percent, for the first quarter of 2017, from 10,769 at the beginning of the quarter to 10,520 at the end of the quarter.

Table 5 presents the county figures for the previous twelve months (January 25, 2016 to December 26, 2016). The figures below show that the county population decreased by 194 inmates over this twelve-month period, or two percent, from 10,657 in January 2016 to 10,463 in December 2016.

Table 5

Previous Twelve Months Population in County Correctional Facilities by County, January 25, 2016 to December 26, 2016					
Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Barnstable	380	388	346	300	127%
Berkshire	226	229	206	292	77%
Bristol	1,278	1,247	1,315	566	226%
Dukes	19	16	18	19	100%
Essex	1,560	1,537	1,515	1,654	94%
Franklin	249	249	262	144	173%
Hampden	1,452	1,441	1,407	1,632	89%
Hampshire	235	243	237	287	82%
Middlesex	1,097	1,052	1,018	1,501	73%
Norfolk	499	487	452	620	80%
Plymouth	1,082	1,103	998	1,140	95%
Suffolk	1,637	1,607	1,591	2,249	73%
Worcester	1,103	1,058	1,098	822	134%
Total	10,817	10,657	10,463	11,226	96%

Table 6 presents the county figures for the previous twelve months. The following table presents a breakdown of facility population and capacity for counties that operate more than one facility.

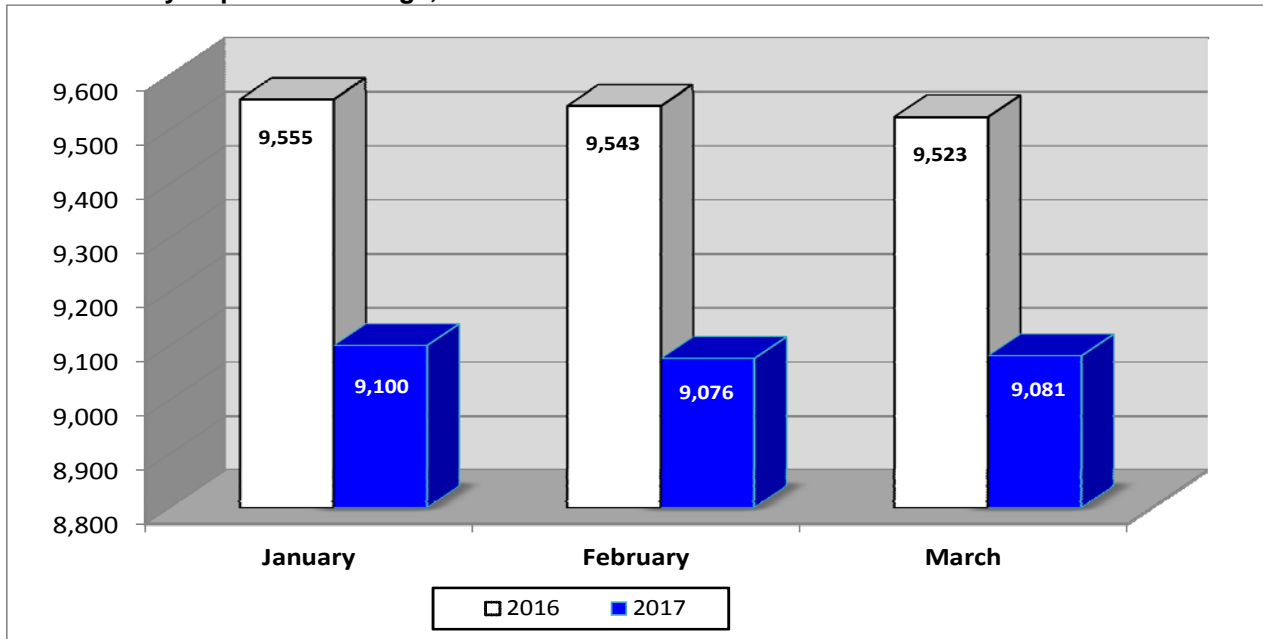
Table 6

Previous Twelve Months Population in County Correctional Facilities by Facility, January 25, 2016 to December 26, 2016					
Facility	Avg. Daily Population	Beginning Population	Ending Population	Design/Rated Capacity	% ADP Capacity
Bristol County					
Bristol Ash Street	189	187	179	206	92%
Bristol Dartmouth	998	974	1,047	304	328%
Women's Center	90	86	89	56	161%
Essex County					
Essex Middleton	1,182	1,175	1,163	1,291	92%
Essex W.I.T.	38	40	37	23	165%
Essex LCAC	340	322	315	340	100%
Hampden County					
Hampden HOC	1,075	1,044	1,083	1,178	91%
Hampden WMCAC	102	125	50	148	69%
Hampden Women's Center	276	272	274	306	90%
Suffolk County					
Suffolk Nashua Street	666	657	643	453	147%
Suffolk South Bay	971	950	948	1,796	54%

See Technical Notes, p. 4-6, for information regarding design capacity, custody level designations, facility closings or name changes relevant to this time period.

Figure 3

DOC Custody Population Change, First Quarters of 2016 and 2017

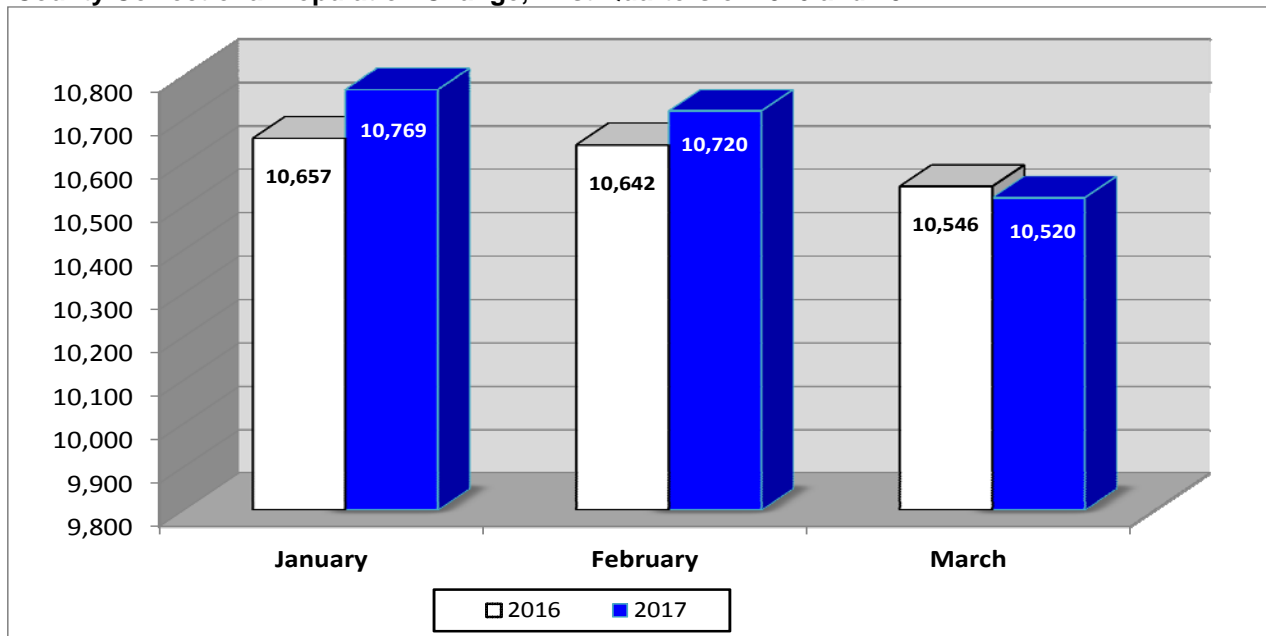


Note: Data for Figure 3 was based on end of the month count for each month within the quarter.

The graph above compares the DOC custody population including treatment and support facilities for the first quarter in 2017 to the first quarter in 2016 by month. For January 2017, the DOC population decreased by 455 inmates, or five percent compared to January 2016; for February 2017 the population decreased by 467 inmates, or five percent; for March 2017 the population decreased by 442 inmates, or five percent.

Figure 4

County Correctional Population Change, First Quarters of 2016 and 2017



Note: Data for Figure 4 was taken from the end of the month weekly count sheet provided by the County, Federal and Interstate Unit.

The graph above compares the county correctional population for the first quarter in 2017 to the first quarter in 2016 by month. For January 2017, the population increased by 112 inmates, or one percent, compared to 2016; for February 2017 the population increased by 78 inmates, or one percent; for March 2017 the population decreased by 26 inmates, or less than one percent.

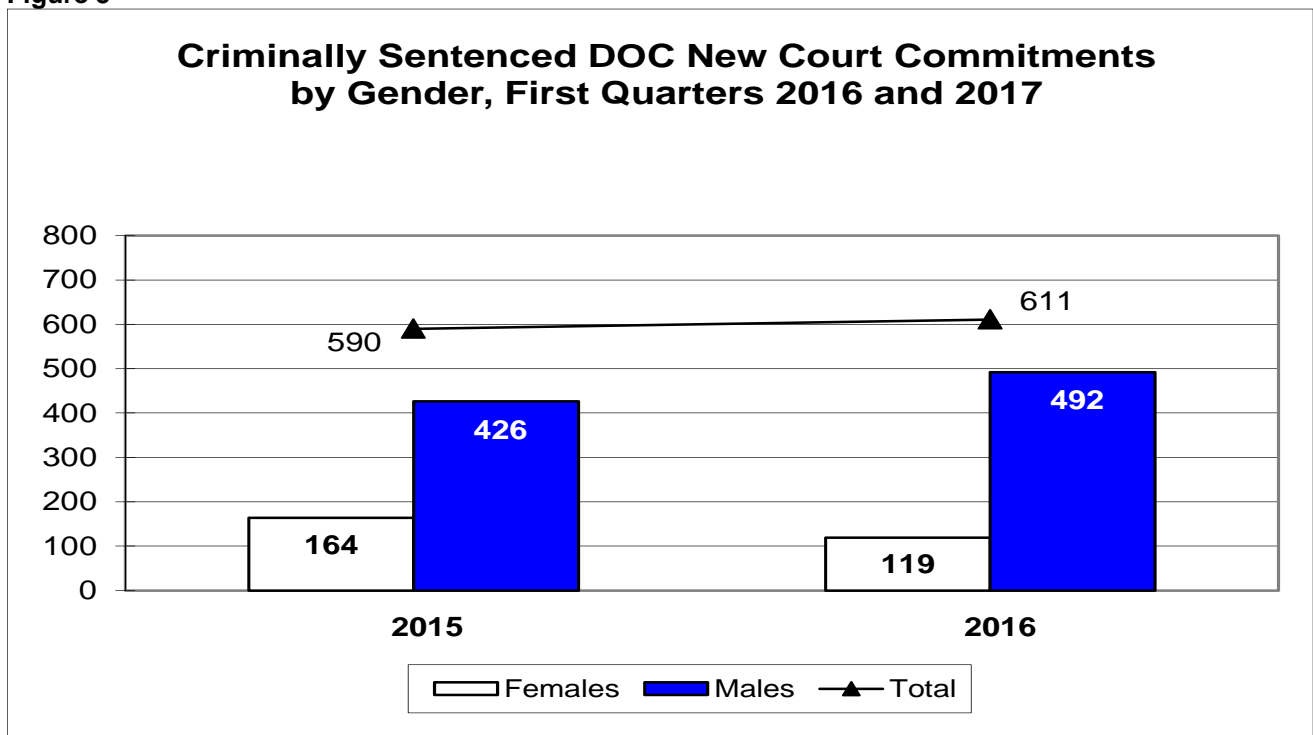
Table 7 provides quarterly statistics on criminally sentenced new court commitments to the DOC for the first quarter of 2016 and 2017, by gender. There was an increase of 21 new court commitments for the first quarter 2017 compared to 2016, from 590 to 611. Overall, there was a 4% increase in new court commitments.

Table 7

Criminally Sentenced DOC New Court Commitments by Gender, 2016 and 2017			
	2016	2017	Difference
<u>Males</u>			
First Quarter	426	492	15%
<u>Females</u>			
First Quarter	164	119	-27%
Total	590	611	4%

Figure 5 provides a graphical representation of the number of criminally sentenced new court commitments to the DOC during the first quarters of 2016 and 2017, by gender. As indicated below, female new court commitments decreased by 27%, while male new court commitments increased by 15%.

Figure 5



Note: Data for Table 7 and Figure 5 were obtained from the DOC's Inmate Management System Database.